Secrt. II-27—20,0

P. W. (1941.) Department.

Buildings SERIES.

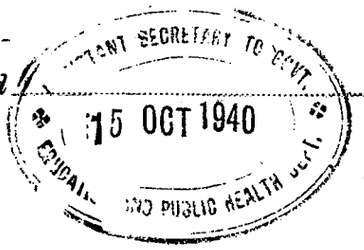
G.O. No.	1148
	1148
Dated	9-5-41

[Despatch Abstract.]

Buildings — Bellary — Headquarters Hospital — "Caste Kitchen" Construction out of a donation by Sri M Ranganatha Mudal Intimation Ordered.

C.F. 30.

Education and Public Health **DEPARTMENT.**



Received ..... 19 . *Registered* 19

42465

Subject.

Buildings - Govt. Headquarters hospital, Bellary - caste kitchen of 3 rooms constructed out of Charitable funds - permission for letting out the rooms to the attendants of hospital in-patients and crediting the amount to the Poor Fund Account -

ENCLOSURES.
No. .....
.....
Spare copies .....

Ref. No. 17667-1-General.

Station Madras., *Dated the* 14th October 1940

From (Name) Major-General N.M.Wilson, C.I.E., O.B.E., K.H.S., I.M.S.,
(Designation) Surgeon-General with the Govt. of Madras.

To The Secretary to the Government of Madras,
Education and Public Health *Department.*

Sir,

In the year 1923 Sri M.Ranganatha Mudaliar of Nagpur of Central Provinces offered a sum of Rs. 2,000/- towards the construction of a caste kitchen in the new Headquarters hospital, Bellary, in memory of his late wife for the use of relations or attendants of hospital in-patients. The building was taken over by Government in 1924. The said caste kitchen has a set of 3 rooms built within the premises of the Headquarters hospital compound. Upto 5th May 1938 the rooms were allowed to be

N2/6/40

be occupied by bonafide attendants of hospital inpatients belonging to outskirts free of rent. But from 5-5-1938 it has been the custom to collect a sum of Rs. 3/- per mensem per room from attendants who occupy the rooms and the sums so collected have been paid into the hospital Poor fund account. The Accountant-General, Madras, in the inspection report on the account of the Govt. Headquarters hospital, Bellary, has objected to the above procedure. He states that the rents so recovered amounting to Rs. 93/- during the period from 1-11-1938 to 30-10-1939 for the caste kitchen have been credited to the Poor Fund Account and that there is no authority for the procedure. He considers that as under G.O.No. 638 Ms. (Finance) dated 7-8-1926 the funds are supported entirely by voluntary subscriptions from patients and from the staff of the hospitals and their friends, Government orders should be obtained for the continuance of the present practice. — (A)

No records are available of any wishes expressed by Sri M.Ranganatha Mudaliar as to the exact use to which this building was to be put nor as to the endowment if any, of the building to cover its maintenance. The monthly rent of Rs. 3/- is being collected as the kitchen is also being used to house relations and attendants of in-patients of the hospital apart from the express purpose of being utilised as kitchen. In the circumstances stated above, I consider that the monthly rent of Rs. 3/- may be continued to be collected for the said kitchen from the attendants of the hospital in-patients and crediting the amount to the Poor Fund Accounts B

Major-General I.M.S.,
Surgeon-General with the Govt. of
Madras.

pvs/12-x.

Edn & PH
D2

Buildings – Headquarters Hospital, Bellary – Kitchen – permission for letting out

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From the S.G. No. 17667-1 Gf dt 14.10.40

Memo 42465-1 D2 PH dt 28.10.40

The Surgeon General is requested to report

(1) whether the kitchen built in the Headquarters Hospital, Bellary out of the donation from Sri M. Ranganatha Mudaliar is an endowment property or the absolute property of Govt.

(2) what conditions were attached to the donation

(3) under what authority rent was levied for the kitchen

(4) why the rent

collected was not credited
to XXVII - Medical - to
hospital receipts.

(5) What amount
was collected for the
period from 5-5-38 to
1-10-1938 and how
it was credited to get.

(6) What procedure
is followed from 31.10.39
in letting out the kitchen.

2 He is also requested
to submit a copy of the
inspection report of the
Accountant General on
the subject.

Dy
30.10.40

28/10

DSH
28.10.40

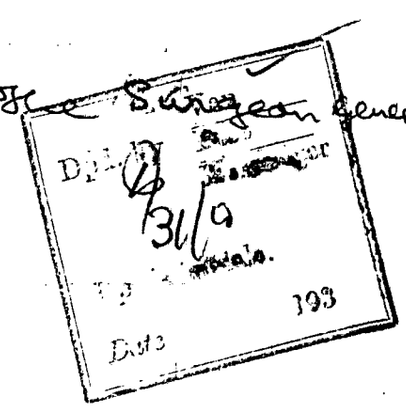
Divisional
P2 CF

do-

do-

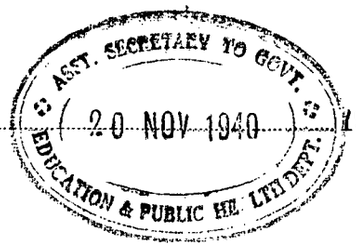
To

The Surgeon General



C.F. 30.

Education and Public Health DEPARTMENT.



Received 20 NOV 1940 19 *Registered* 19

Subject. 47759

Buildings - Govt. Headquarters hospital, Bellary - caste kitchen - permission for letting out

ENCLOSURES.
No.
spare copies

Ref. No. 17667-B-General.

Station Madras, *Dated the* 19th November 1940

From (Name) Major-General H.M.Wilson,C.I.E.,O.B.E., K.H.S.,I.M.S.,

(Designation) Surgeon-General with the Govt. of Madras.

To The Secretary to the Government of Madras,

Education and Public Health Department.

Sir,

Ref:-Government Memo.No.42465-1-D-2 P.H., dated 28-10-40.

I furnish herewith replies to Government Memo. quoted above seriatim:-

1. No records are available in this office or the office of the District Medical Officer, Bellary, to show whether the building in question is an endowment property or the absolute property of Government. The Accountant-General, Madras, was requested to furnish with any particulars that may be available in his office relating to the endowment for the construction of a kitchen

in

in the Headquarters hospital, Bellary and he has stated that the property in question has not been vested in the Accountant-General as the Treasurer of Charitable Endowments.

2. Records are not available to furnish this information.

3. The District Medical Officer, Bellary, reports that upto 5th May 1938 the rooms were allowed to be occupied by bonafide attendants of hospital in-patients belonging to outskirts, free of rent, but from 5th May 1938 it has been the custom to collect a sum of Rs. 3/- per mensem per room from attendants who occupy the rooms and that no specific orders have been obtained.

4. The District Medical Officer is not able to explain why the rent collected was not (credited) to XXVII - Medical - b. Hospital receipts. It appears to have been paid to the poor fund account by practice.

(b) 5. The same procedure is being followed. The rooms are being let out on Rs. 3/- per mensem each and the rent so collected credited to the poor fund account.

A copy of the inspection report of the Accountant-General on the subject is herewith enclosed.

Madhavan 19/11/40
Personal Assistant
for Surgeon-General with the Govt. of Madras.

pvs/18-11.

Copy of extract from the Report on the Inspection and testaudit of the accounts of the District Headquarters hospital, Bellary.

Serial No. of paragraph of Report.	Inspecting officer's remarks.
4 A/	Irregular appropriation of Government revenue to Poor Fund.

In the compound of the hospital there is a caste kitchen of 3 rooms which is stated to have been constructed in 1923 out of charitable funds. The rooms are let out from May 1938 to attendants of hospital in-patients at Rs. 3/- per room per month. The rents recovered (which amounted to Rs. 93/- during the period 1-11-38 to 30-10-39) are credited to the Poor Fund account. There is no authority for this procedure. As under G.O.No.638 Ms. (Finance) dated 7th August 1926 the funds are supported entirely by voluntary subscriptions from patients and from the staff of the hospitals and their friends, orders of Government should be obtained for the continuance of the present practice.

(2)

9

Edn & P.H.

T.M.Dr. 26.11.40.

From

Supdt D2 P.H.

The ~~Asst. secretary to Govt~~

Edn & P.H. Dept

To

Manager

The ~~P.A. to the Surgeon Genl~~

Office of the S.G.

Ref: S.G.'s letter No. 17667-~~KG~~ & 14-10-40 and 19.11.40 in regard to the letting out the Caste Kitchen Rooms in the ~~Head~~quarters Hospital at Bellary

---

Please let me know the amount collected for the period from 5-5-38 to 31.10.1938. by letting out the three caste kitchen rooms

NC
22/11/40
Ltr
25/11/40
issued
H.R
26/11/40

G. Section

Office of the Surgeon-General
with the Government of Madras
Madras, 29th November 1940.

Telephone by Post.

From

The Manager, Surgeon-General's office.

To

The Superintendent,
D.2 Section, Education and Public Health Department.

Reference:- Your Telephonic message dated 26-11-1940 regarding letting out the caste kitchen rooms in the Government Headquarters Hospital, Bellary.

A sum of Rs.44/- was collected for the period from 5-5-1938 to 31-10-1938 by letting out the three caste kitchen room at the Government Headquarters Hospital, Bellary.

29.11.40

Manager,

R.V/29-11

Surgeon-General's office.

Eedn 4P1

73/23/1

TOM 23/1

Buildings - Headquarter Hospital, Bellary — Caste Kitchen Constructed out of a donation ~~of~~ by Sri M. Ranganatha Mudlr

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pp1-2 CF

pp5-6 CF

From the SG. No. 17667-1 G dt 14-10-4

—"— 3 G dt 19.

"enno 1079-1 ~~42465~~ D_2 PH dt 22.1.1

dt 22/1/41

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pp1-2 CF

In this letter No 17667-1 G dt 14-10-40 the S.G stated that ~~it~~ in the year 1923, Sri M. Ranganatha Mudaliar of Nagpur (C.P) offered a sum of Rs 2,000 towards the Construction of a Caste kitchen in the new Headquarters Hospital, Bellary, in memory of his late wife, for the use of relations or attendants of hospital in-patients.

Emp. 1 CF

~~This would suggest that there was a condition that the building should be used as a caste kitchen~~

1 pp 7 NF

14

The S. G is requested to state whether there was ~~or was not~~ a condition attached to the gift and what exactly were the terms of the gift and submit in original all the papers connected with the question.

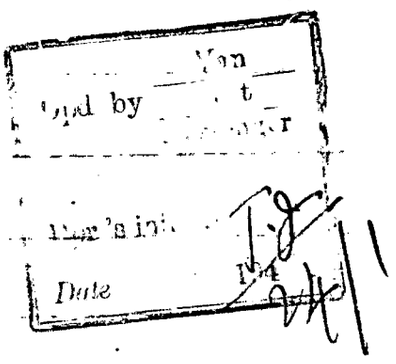
NA
10.1.41

USA
15.1.41

80

The Surgeon General
(Q from)

Rem: 10.2.41



C.F. 30.

Medical DEPARTMENT.

Received ... GOVERNMENT OF MADRAS 19 ... 23 FEB 1941

Registered 6932 19

Subject.

Buildings - Headquarters Hospital, Bellary - caste kitchen - constructed out of a donation by Sri M. Ranganatha Mudaliar -

ENCLOSURES.
No.
Spare copies

Ref. No. 17667-7 General/1940.

Station Madras., Dated the 22nd February, 1941

From (Name) Colonel H. Stott, O.B.E., K.H.S., I.M.S.,
(Designation) Surgeon-General with the Govt. of Madras.

To The Secretary to the Government of Madras,
Education and Public Health Department.

Sir,

Ref:- Government Memo No. 1079-1 D2 P.H. dated 22-1-41.

In enclosing herewith copies of letters noted in the margin*, I am to state that no records are available in this office also on the above subject.

*1. Copy of letter C.R. No. 201/41 dated 10-2-41 from the District Medical Officer, Bellary.
2. Copy of letter C.R. No. 201/41 dated 18-2-41 from the District Medical Officer, Bellary.

Personal Assistant
for Surgeon-General with the Govt. of Madras.

R.G.21-2.

p.t.o.

16

Copy of letter C.R. No. 201/41 dated 10-2-41 from the District Medical Officer, Bellary.

Ref:- Your No. 17667-4-G dated 28-1-41 regarding caste kitchen in the compound of the Headquarters Hospital, Bellary.

I invite your kind attention to your R. No. 24826-G dated 28-11-38 and R. No. 2667 G dated 15-4-39 and beg to state that no records are available in this office for submission in original and it is not possible to say whether there was a condition attached to the gift by Sri M. Ranganatham Mudaliar of Nagapur in the absence of any record. The only record is the Marble Tablet fixed to the building which indicates that the building is a gift by Sri M. Ranganatham Mudaliar. The Executive Engineer, P.W.D., Bellary, informs me that this office letter No. C.8/23 dated 2-8-23 requesting him to depute an officer to take measurements regarding the construction of a block of 3 kitchens is not traceable in his office.

Copy of letter C.R. No. 201/41 dated 19-2-41 from the District Medical Officer, Bellary.

Ref:- Your No. 17667-6 G/40 dated 17-2-41 - Caste kitchen in the compound of the Headquarters Hospital, Bellary.

Papers called for in your above quoted reference are not available in this office. They appear to have been included in the old records which have been destroyed.

In this office index register for the year 1924 under the head "Buildings" it is written as follows:-

"Caste kitchen - Government Headquarters Hospital, Bellary in memory of late wife of M.R.Ry. M. Ranganatham Mudaliar Nagpur"

Further in his remarks in the visitors book of this hospital dated 16-8-1923. the Surgeon-General with the Government of Madras has written as follows:-

"I have approved of the site of the new caste kitchen generously presented by M.R.Ry. M. Ranganatha Mudaliar Avl., of Nagpur"

Buildings – Govt Hospital – Bellary Headquarters Hospital – Caste Kitchen Rooms – letting out –

P1-2 CF — From the S.G No. 17667 – 1 Sy dt 14.10.1
P5-6 CF — ——— " ——— – 3 Sy dt 19.11.

P1 CF — There are three caste kitchen rooms in the Headquarters Hospital at Bellary built out of the contribut
do — of a private donor Sri Ranganath Mudaliar. They were built in memory of the donor's wife for use
P6 CF — of relations or attendants of the hospital in-patients. The property is not vested in the Treasurer of Charitable Endowments. The
B on P2 CF — ~~also~~ appears to be no endowme attached to the property for the maintenance of the building. And presumably no scheme is laid down for ~~the~~ its administration The building should therefore be deemed to be ~~the~~ absolute property
P1 CF — of government from the time it was taken over by them in 1924

2 From the time it was taken over by Govt. in 1924 up to 4-5-38, the attendants of the in-patients were being allowed to occupy the rooms free of rent. The D.M.O. has however levied a monthly rent of Rs. 3 per room from 5-5-38 onwards without any orders from Govt. and credited the amount so collected to the Poor Fund Account. The Acct. General has objected to this procedure. The S.G. now requests sanction of Govt to levy rent for the rooms and credit the amount to the Poor Fund.

p2 CF

p2 CF

p7 CF.

3 No records are available as to the conditions attached to the donation. The points for consideration are:

(1) whether the Govt may levy rent for the rooms; and

(2) if so, ~~whether the amount so collected to be credited~~ whether the rent realized should be credited to Provincial revenues or to the Poor fund

For details of the nature of a Poor Fund referred to by the S.G. attention is invited to G.O. No 362 M dt 31-7-1918 The object of the fund is to provide poor and deserving patients with

pp3-4 of (X)

Crutches, artificial limbs and other appliances to poor patients ne otherwise procurable in order tha no indigent ~~patient~~ person shal be discharged from hospital in a helpless condition. The Fund is supported entirely by voluntar Contributions from patients and from the staff of the hospital. The rent levied ~~for~~ the kitch rooms is not a voluntary contribut The expenditure on the mainten of the building is at present met apparently from the provincial budget and the income from the propert should rightly be credited to the revenues of the province. For orders whether the S.G. may be informed accordingly. The remarks of Legal and Financ may be invited U.O.

P 40 (X)

vide remarks of the AG at A on page 7 C/F this appears the correct procedure.
28/4

ASSISTANT SECRETARY
2 - DEC 1940
PUBLIC DEPARTMENT

NG
25/11/40.

Lcrs
25.11.40

28/4

Lcr

Fin

Lcr

1/12.

Lcr.

Fin

3PH UO. 42465-2DPH
2.12.40.

ASI 8278/1

Legal Department.

As no records are available as to the wishes expressed by Mr.Ranganatha Mudaliar regarding the use of the building, it is not possible to say that the levy of a small fee for the use of the three rooms from the attendants of patients using them will violate the conditions of the trust. The fees cannot be regarded as "voluntary" contributions, which alone may apparently be paid into the Poor Fund Account. The fees levied should however be used only for the repair of the building or for charitable purposes similar or akin to those for which the donor gave the building. The Government will not be entitled to make a profit out of the sums received by them by way of fees. A B

The best course seems to be to vest the building in the Treasurer of Charitable Endowments, and frame a scheme for its utilization and that of the fees levied for the occupation of the rooms. The Surgeon-General may make the necessary applications under the Charitable Endowments Act, 1890.

K. M.
2/12/40

I agree
3/12/40

Legal - 8278/40 3-12a

ASSISTANT SECRETARY TO GOVERNMENT 4 DEC 1940 FINANCE DEPT.

Fin (Accts) Dept.

A above seems to be impracticable as the excess of receipts over the expenditure on maintenance will have to be funded to enable construction of more caste Kitchens for the use of relations or attendants of Hospital patients which is the charitable purpose of the donor.

11/12/40
7.12.40

15406 M/S

K. Gl. p 1 CF

(profit)
B above does not appear to be a correct representation of the appropriation of the rent by Govt, as the expenses of the Hospital as a whole will be several times the receipts therefrom

2 As there are no records as to the terms on which the buildings were presented to the Hospital, the proper course is to treat it as a Govt building & to debit the maintenance expenditure & to credit the rent to the Govt. No separate account being kept

Agree.
9/12

LFWH.

Fin no 45606 Rec'd 9/12/40

ASST. SECRETARY TO GOVT. EDUCATION & PUBLIC HE LTH DEPT. 10 DEC 1940

50693

Edn & P H D
(D2 Sec)

[Previous Note of this Dept are on pages 1-3 above]

The notes of Legal and Finance on pp 4-5 above may be perused.

For orders whether the suggestion of Finance in para 2 of their note above may be accepted. If so, the file may be sent to PWD U.O. for issue of

6

Hdqrs: that Dept may perhaps be requested to let this Dept see the draft order before issue

NG
11.12.40.

Work
11.12.40

14/12

Lee

P.W.D.

Lee
14/12
P.W.D.

AS
D2

E&PHU042465-3D2PH

R 14/12/40.

14/12 C

14 DEC 1940

6080-

P.W.D.

A draft order is submitted. It may be sent to E&P.H. and Legal for perusal before issue

19.12.40.

20/12

21.12.40

23 12 40

E & P. H.

Legal.

P.W. no No. 6080 dt 23/12/40

23.12.40

E&PH(D2)

The draft order may be perused and the file passed on to Legal wo.

ASST SECRETARY TO GOVT. EDUCATION & PUBLIC HEALTH DEPT. 8- JAN 1941

ASSISTANT SECRETARY I 7- JAN 1941 E&P HEALTH DEPARTMENT PH

NG
3.1.41

Work
3.1.41

Lee
Legal wo

Lee
6/1
Leg.

61. NG 3/1/41

AS1 149

2/1/41

LEGAL DEPARTMENT.

If the gift of the building made by Ranganatha Mudaliar was specifically for use as a caste kitchen the position stated at A on page 4 ante will be correct, that is to say the fees derived from the kitch can be used only for its maintenance or for purposes connected with or similar to those for which the building was given. The reason for this is that receipts from the building will be charged with the original trust. The fees cannot be credited to the general revenues. The best course will then be to vest the building in the Treasurer of Charitable Endowments and frame a scheme as suggested in this Department's previous note at p.4 ante.

If however there was no specific condition attached to the gift (it is not possible from the papers in the file to ascertain what exactly were the terms of the gift) there will be no objection to treating the building as a Government building as suggested by Finance. The point whether there was or was not a condition attached to the gift, (which is a question of fact) should be first settled The portion marked K of the S.G.'s letter on p.1 c.f would suggest that there was a condition that the building should be used as a caste kitchen.

1079

Legal u. 1069-I
87.14

87.14

Edn+PH+De

A draft memo is submitted for approval.

10.1.41

17/1

ASST. SECRETARY TO GOVT. EDUCATION & PUBLIC HEALTH DEPT.
10 JAN 1941

8

Edn & PH (D_2)

Memo NO. 1079 D_2 – 1 PH dt 22.1.41

From the S.G. NO. 17667-7-G/40 dt 22.2.41

The S.G states that no records are available. It cannot therefore be said whether there was a condition attached to the gift.

The file may now be returned to Legal U.O

NG
25.2.41
25/2/41

Sec
Legal

Edn.
Leg.

EdPH U.O. 1079-3 D_2 PH
28.2.41.

AS1

Legal Department

Having regard to A and B on page 16, current file, it would be safer to act on the view that the gift of the building was subject to the condition that it should be used as a caste kitchen. The course suggested at B on the previous page may therefore be followed.

K.M.
1/3/41

4 MAR 1941
ASST. SECRETARY TO GOVT.
EDUCATION & PUBLIC HEALTH DEPTT.
ASST. SECRETARY
No. 1381
LEGAL DEPARTMENT

8207

Legal 1381-/
3-3-41

E&PH(D2).

Please see the remarks of Finance on pages 4-5 above the file may now be sent to them for remarks on the present suggestion of Legal.

p 8 above

NG
4.3.41.

KSR
4-3-41

8207 - 2D2PH

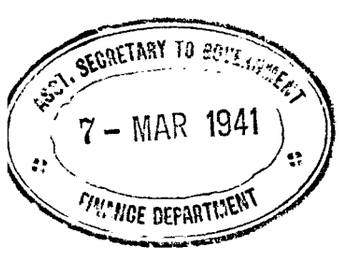
E&PH U.D

Finance (Accts)

[Finance saw last on pp 4-5 ante]

Vesting the building in the Treasurer of Charitable Endowments and framing a scheme, as suggested at B. on p. 7 ante, involve unnecessary work to no end. But if E&PH prefer it, Finance need not object.

CS
7.3.41



07804 Ans

S I agree, but I see no real reason why the simple canon of credit grants to general revenues should not be followed as there is no evidence

W

that any condition was attached.

W4
1073

E.P.H.

Edn & P H (D2)

Fin no 7804 & 48
10874/41.

The policy of Govt at present is to avoid obligations of a contractual nature in the cases in which private donors offer to construct ward ~~at~~ in Govt. medical institutions at their own cost and to make provision for Govt to relieve themselves of any responsibility in ~~the~~ event of any financial stringency. Attention is invited to the orders in G.O. No. 91 Fin dt 18.2.1935. This procedure has been followed by Govt ~~in all cases~~ hitherto - vide G.O No 2737 P.H. dt 2-8-39 and G.O. No. 3162 P.H. dt 16.7.1940. In all cases the ~~buildings~~ have been treated as absolute properties of Govt and have not been vested in the Treasurer of charitable endowments. The same procedure may be adopted in the present case also.

It is therefore for orders

ASST. SECRETARY TO GOVT. 11 MAR 1941 EDUCATION & PUBLIC HEALTH DEPT.

vide G.O No 91 Fin dt 18-2-35 (N)

(N)

(D) (R) p.31 removed

vide portion marked 11 on p 15 (R)

Whether this Dept may agree with Finance that the simpler course of crediting the rents to the general revenues may be followed in this case.

The file may be returned to PWD ~~through legal~~ for issue of orders. ~~Dept~~ may be requested to circulate the case to A_3.

Vide p4 above
Yes.
15/3/41

NA
12.3.41.
15/3/41

15/3 Sd
P.W.D

It is certainly convenient to credit receipts to general revenues as Fin. propose. But, if legal view is accepted, this Dept open to Govt. to do this.

Sd
17/3/41.
P.W.D.

3D2PH

18/3/41
SECRETARY TO GOVT.
19 MAR 1941
991

P.W.D.

The question for decision in this file is how the rent collected for the three rooms called "caste ~~kitchen~~ kitchen" in the Bellary Headquarters Hospital should be dealt with. The building was constructed in 1923 out of a donation made by one Sri Ranganatha Mudaliar of Nagpur

p.1 of

in

in memory of his late wife. The building is used by "bona fide attendants of the hospital in-patients". Till 1938 no rent was recovered for this occupation. From May 1938, however, a rent of Rs.3/- p.m. per room is being collected and credited to the "Poor Fund" of the hospital. The hospital authorities appear to have been doing this without any specific orders either for the collection of rent or for the crediting thereof. The A.G. wants specific orders for the continuance of the present practice.

p 2 CF

para 3 & 4 on p.6 CF.

p 1 CF.

2. The Finance Deptt. are for crediting the rent to Govt., no separate receipt and expenditure account for the building being kept. But the Legal Deptt. are of the opinion that it would be safer to act on the view that the gift of the building was subject to the condition that it should be used as a caste kitchen, and suggest that the building be hereafter vested in the Treasurer of Charitable Endowments and a scheme framed for its utilization and that of the rent recovered for its occupation. The E.& P.H. Deptt. remark that it is certainly convenient to credit the receipts to general revenues as Finance propose, but that if Legal's view is accepted it is not open to Govt. to do so.

pp 4-5, & 9-10 ante

pp 4, 7 & 8 ante

vide 8 of H. Sec. on p.11 ante

3. If the building is to be vested in the Treasurer of Charitable Endowments and a scheme framed as suggested by Legal, the object of the scheme has to be clearly defined and followed. The donation should be regarded as for the construction of a "caste kitchen", and the building should hereafter be used only as a caste kitchen either by the hospital administration or by caste people

vide A & B on p 16 CF

who

who should use it only for cooking and not for any other purpose such as lodging, storing saman etc. Presumably in that case the existing practice in regard to the use of the building cannot be continued.

4. If emphasis is to be laid on the view expressed by Legal Deptt. the question will also arise whether the collection of rent (at Rs.3 p.m.) will be in order. ~~Th~~ There are no details to settle this point.

5. The building needs some funds for repairs and maintenance. There is no other endowment or fund provided for this purpose by the donor. The expenditure on repairs etc. is now incurred by the P.W.D. out of Govt. funds and if the building is vested in the Treasurer of Charitable Endowments and a scheme framed as suggested by Legal, there will be no justification for the Govt. to incur expenditure on the maintenance of the building.

6. In the above circumstances, it is for consideration whether the suggestion of Finance may be adopted, if there is no serious objection. Legal may see the case again before circulation.

ASSISTANT SECRETARY I
29 MAR 1941
LEGAL DEPARTMENT

26.3.41
Legal 2090.
29.3.41.

I agree with Secy. Fin.
26.3.61
S
DDV. 41.
3

PH no No 6869 C/40-3
29.3.41.
Legal

Legal Department

The legal position is as stated in the note of the Secretary at page 7 ante, and as pointed out in this Department's note at page 8 ante, much the safest course will be to vest the building in the Treasurer of Charitable Endowments and frame a scheme for the utilization of the building, and for the levy and utilization of fees for the use of certain portions thereof. If such a scheme is framed, the present use of a portion of the building otherwise than as a caste kitchen and the levy of fees for such use will be validated and cannot be questioned by any one. This is an undoubted advantage. Besides, it will not be proper to credit to general revenues income derived from property charged with a trust. It is very desirable that the Government avoid taking any action which may be construed as amounting to a violation or breach of a trust. The publication of a vesting order and of a scheme will not after all involve any great trouble. That course has been adopted even in the case of endowments of smaller importance.

K. M.
9/4/41

Please see paragraph 2 of my note at p. 7. If this first course is adopted there is no question of the second alternative. We will have to frame a scheme for the building as suggested by me. It will be proper however to proceed as suggested by Law Dept.

Legal 2090-1

PWD

For orders as to circulation
[Notes from hill only need be read].

Please see portions marked B and C on pages 2 and 16 C.F. It would seem that the Govt. may safely assume - at any rate until the position is questioned - that there is no specific condition attached to this gift. In this view orders can be issued as suggested by Fin: Secy on pages 9-10 ante, which arrangement is considered to be convenient by E.H.P.H.

Vlls
16.4.41

A.

16.4.41

S

A. This may be done.

DDV 4. 41.

17.

A2.

A4

A3

A1. 1.5.41 DDV 41.

3 5

The draft order already approved, which is on the lines of the Treasury Secretary's note at pp 9-10 ante may be issued.

5.5.41

6.5.41

S

DDP. 4.
5

10/9/5

Date.

DRAFT FOR APPROVAL.

C.F. 16.

R.W.T.

Initials.

When received for fair copying ..		Ms
When copied ..		✓
When examined..		
When signed ..		
When despatched.		

SUBJECT :— Buildings - Bellary - Headquarters Hospital - "Caste Kitchen" constructed out of a donation by Sri M. Ranganatha Mudaliar - Utilization - orders.

READ AGAIN _____, dated _____ 19____

" " _____ " _____ 19____

READ *ALSO* :—

fp 1-2 41 No. 6085C From the S.G., No. 17667-1 Gc dated 14.10.19 41

fp 3-4 41 " _____ To " .. .. " 42465-1 D2 P.M. 28.10.19 41

fp 1-2 41 " _____ from .. .. " 17667-3 Gc " 18.11. 19 41

Order ~~Resolution~~ Ms No. 1148, dated 9 — 5 — 41 19____

fp 1-2 41

The S.G. reports that in the Headquarters Hospital at Bellary, there is a building consisting of three rooms which was originally constructed out of a donation given by ~~one~~ Sri M. Ranganatha Mudaliar of Nagpur for the purpose of a caste kitchen, and that this building has from 5.5.38 been allowed to be occupied by relations & attendants of the in patients of the hospital on payment of rent at Rs 3/- p.m. per room, the rent being credited to the Poor Fund, He now (at the instance of the A.S.) requests that orders for the continuance of the practice may be issued by Govt. Since

to show on what
There are no records ~~as to the terms~~
~~on which~~ the building was presented
to the Hospital, the Govt direct that
~~it maintenance should be treated as~~
Govt building. It may continue
~~to be~~ let as now, but the rent
recovered should be credited to
~~XXXIX~~ Civil Provincial" works.
~~the expenditure~~
~~on maintenance of the building~~
~~during and from Medical Nos~~
~~Expts~~"

para 2 of this note
sent to S.W.F.

1.12.60

21.12.60

20/12

12

23

To the S.G. Madras ~~this~~ S.x.O.14.

To the C.E. (Bldg) with copy of the S.G's
letter 9/14.10.60 for
Ag. Madras this Fin

10.5.61